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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 4179-128				
I hereby certify that this document is being filed via EFS in the United States Patent and Trademark Office on the date specified below. Date: <u>January 30, 2008</u> Signature <u>/vincent k. gustafson/</u> Typed or printed Name <u>Vincent K. Gustafson</u>	In re Application of SHAH, TILAK M. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Application Number 10/815,282</td> <td style="width: 50%; padding: 2px;">Filed April 1, 2004</td> </tr> </table> For EXTRUSION LAMINATE POLYMERIC FILM ARTICLE AND GASTRIC OCCLUSIVE DEVICE COMPRISING SAME <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Art Unit 1711</td> <td style="width: 50%; padding: 2px;">Examiner Thao T. Tran</td> </tr> </table>		Application Number 10/815,282	Filed April 1, 2004	Art Unit 1711	Examiner Thao T. Tran
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Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 510.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 255.00

☐ A check in the amount of the fee is enclosed.

☐ Payment online via credit card.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any deficiencies in fees which may be required, or credit any overpayment to Deposit Account No. 08-3284.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the:

☐ applicant/inventor. /vincent k. gustafson/
Vincent K. Gustafson

☐ assignee of record of the entire interest.

☒ attorney or agent of record. 919 419-9350
Telephone Number

☐ attorney or agent of record under 37 CFR 1.34(a). January 30, 2008
Date

☐ Registration No. 46182

☐ Registration No. if acting under 37 CFR 1.34(a)

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**